

Rhode Island Statewide Planning Program
STATE PLANNING COUNCIL

Thursday, October 8, 2009
William E. Powers Building
Executive Dining Room
One Capitol Hill, Providence, RI

I. ATTENDANCE

Members Present

Mr. Kevin Flynn, Chair	Representing Mr. Gary Sasse, Chair, RI Department of Administration
Mr. Christopher Long, Vice Chair	Representing Mr. Timothy Costa
Mr. Jared L. Rhodes, II, Secretary	Statewide Planning Program
Ms. Jeanne Boyle	City of East Providence, Planning Development
Mr. Thomas Mullaney	Budget Office, representing Ms. Rosemary Gallogly
Mr. L. Vincent Murray	Town of South Kingstown Planning Department
Mr. Peter Osborn, ex officio	Federal Highway Administration
Ms. Anna Prager	Public Member
Mr. William Sequino	Public Member
Mr. Bob Shawver	Representing Mr. Michael Lewis, RI DOT
Mr. John Trevor	Environmental Advocate
Ms. Janet White-Raymond	Public Member

Members Absent

Ms. Susan Baxter	RI Housing Resources Commission
Mr. Daniel Beardsley	RI League of Cities and Towns
Mr. Stephen Cardi, Esq.	Public Member
Mr. Thomas Deller	City of Providence Department of Planning & Development
Mr. Michael Rauh	Environmental Advocate
Ms. Sharon Conard-Wells	West Elmwood Housing Development Corporation

Guests

Ms. Barbara Breslin	Federal Highway Administration
Mr. Chris MacFadyen	House Policy
Mr. David Riley	Head of the Bay Gateway
Ms. Pam Sherrill	PARE Corporation
Ms. Rita Williams	Head of the Bay Gateway

Staff - Division of Planning

Mr. Robert Griffith, Ph.D.	Chief, Economic Development & Strategic Planning
Mr. Kevin Nelson	Supervising Planner, Comprehensive Plans
Ms. Karen Scott	Principal Planner, Land Use
Ms. Dawn Vittorioso	Executive Assistant

II. AGENDA ITEMS

1. Call to Order

Mr. Flynn called the meeting to order at 9:03 a.m.

2. Approval of September 10, 2009 Meeting Minutes

Ms. White-Raymond moved to approve the Minutes of September 10, 2009 as presented. The motion was seconded by Mr. Trevor. There was no further discussion and the motion carried unanimously.

3. CEDS Certification Procedure

Mr. Flynn introduced the CEDS Certification Procedure and reminded the Council about previous discussions of CEDS ARRA funds through the Department of Economic Development Administration (EDA). Mr. Flynn explained that the certification process is to make the applicant eligible for funding, and it will not place them on the project priority list. Mr. Flynn then explained that once the application is CEDS certified, it will allow the proponents to apply directly to EDA for potential grant funding. Mr. Rhodes then added that the purpose of the action item will be to determine if the project is consistent with the State Guide Plan. Mr. Rhodes said that the applications have been submitted to the CEDS Subcommittee and the Technical Committee. Both Committees recommended both applications to be CEDS certified. Mr. Rhodes reiterated if the applications become certified, this will not place them on the project priority list as that will continue to be a separate process.

At this time, Mr. Flynn asked Mr. Riley from the Head of the Bay Gateway Group if he would like to speak about their proposal. Mr. Riley introduced Ms. Williams as the co-Chair of Head of the Bay Gateway and asked her to discuss the proposal.

A. **Earth Island Institute – Head of the Bay Gateway project**

Ms. Williams began by explaining that the grant is for a private and public venture that will attempt to improve the former Shooter's site. Ms. Williams explained that she would like to promote the water front as she feels it will make good use for the economic prosperity of Providence and the State. Ms. Williams envisions the site as a transportation hub with ferry access and restaurants. Ms. Williams said that she could not envision condominiums as it would block the view of the bay. Ms. Williams explained the historic usages and then asked the Committee to approve the endorsement.

Mr. Riley added that he sees the site as being transformed from public access to a public destination. Mr. Riley mentioned he received letters of support from the Bay Queen Cruise Line. The Bay Queen Cruise Line indicated that they would be willing to begin operating from the site as early as next spring.

Ms. Raymond asked if the City and the City Council supported the project. Ms. Williams responded that the Mayor, State Legislators and Federal Legislators all support the project. Ms. Williams stated that the Head of the Bay Gateway received a support letter from Mayor Cicilline and said Councilman Seth Yurdin also supports the project.

Ms. Boyle asked if the Providence Comprehensive Plan supported the proposal either directly or indirectly. Mr. Riley stated that it is consistent with current zoning.

Mr. Flynn explained that the land under the highway is a parking lot. He mentioned that when the property was acquired, it was anticipated that the funds derived from the sale would be put back into the Iway project. Mr. Flynn also stated that another complicating factor is that when the property was acquired, the former owner was given the first right of refusal. Mr. Flynn then explained that a reasonable appraisal would be necessary to determine the value of the property. Mr. Flynn said that DOT Director Michael Lewis would be willing to pursue alternatives of a sale if there is a way of coming together with public and private resources to accomplish the funding for the remaining part of the Iway project.

Mr. Riley mentioned that the former owner had informed him that he would exercise his right to repurchase the property.

As there were no further comments or questions, Mr. Trevor motioned to approve and Mr. Sequino seconded the motion. The motion was unanimously approved.

B. **Brown University – Leveraging Emerging Science and Technology to Create Sustainable High Growth Companies**

Mr. Flynn introduced Mr. Griffith. Mr. Griffith began providing an explanation of the CEDS application from Brown University – “Leveraging Emerging Science and Technology to Create Sustainable High Growth Companies”.

Mr. Griffith explained that the project is being led by Brown University and includes the University of Rhode Island, Lifespan Hospitals, and the EDC. Mr. Griffith noted that the project will take ideas from the academy through the commercialization process and to the market. Mr. Griffith said that the project has been reviewed for consistency with the State Guide Plan, and it meets the threshold requirements for CEDS certification. Mr. Griffith explained that once the project is certified, it will not compete with any other projects on the existing project priority list.

Mr. Griffith discussed a question raised by the Technical Committee members regarding job creation estimates. Mr. Griffith explained that the preliminary estimate by Dr. Angus King, author of the proposal, will be approximately two companies per year beginning in year three, and the total number of direct jobs by year ten will be 129 and indirect jobs will be 1,300.

Mr. Griffith recommended the project be certified and forwarded to EDA to compete for ARRA monies. Ms. White expressed her support of the certification. Ms. White then stated she feels the City and State are in need of this type of program.

Mr. Sequino motioned to approve and Mr. Trevor seconded the motion. The motion was unanimously approved.

4. Comprehensive Planning System Assessment and Recommendations Report

Mr. Flynn explained that the staff has been working on the comprehensive planning assessment for the past two years, including conducting surveys, focus groups, and in-house discussions. The result is a series of recommendations for improving the comprehensive planning system in the State; which is now a twenty-year old process.

Mr. Flynn introduced Mr. Nelson. Mr. Nelson explained that the report that was distributed was basically the same report that was previously reviewed but with minor modifications based on recommendations received from prior meetings with the State Planning Council, Technical Committee, and Implementation Committee.

Mr. Nelson noted that the most significant change was that better notice and a more detailed explanation of the general relevancy of SGP changes to municipal comprehensive plans be provided. However, some State Guide Plan elements are fairly location specific, for example, the Scituate Reservoir Watershed Management Plan. Such plans can disproportionately affect certain communities. In these special circumstances, it could be useful to have the affected communities involved in the process of drafting the subject Guide Plan element. This was added into Recommendation 2.1.

Recommendation

- 2.1 Any municipality that would be disproportionately affected by a State Guide Plan element should be specifically invited to participate in drafting that element. All municipalities should be invited to comment on draft State Guide Plan elements. At a minimum, DOP will summarize major proposed changes and provide written notice of the opportunity to comment at any public hearings.

Mr. Sequino stated that he is concerned that neighboring communities do not collaborate on their plans. Mr. Sequino provided the example of residential areas on one side of the street in Town A and industrial structures on the other side of the street in Town B.

Mr. Flynn responded by noting that the Division is trying to improve the planning process by encouraging communities to submit draft plans before they are approved by their Town Council. This should offer more opportunity to address such issues.

Mr. Murray suggested communities should note such inconsistencies of land use patterns in their comprehensive plan. Ms. Prager said she believes some of the inconsistencies are long standing. Mr. Nelson said the Comprehensive Planning Act encourages communities to jointly participate in the planning process; however, this hasn't happened to date.

Mr. Nelson stated that the Report recommends establishing ten-year plans; which includes a five-year implementation report. Mr. Nelson said one possible option to implement the transition would be to place communities within the same area on the same ten-year planning schedule. This might encourage communities to plan together.

Ms. Prager asked if there was a way to solicit and encourage areas to form regional planning councils. Ms. Prager believes funding resources look favorably on operations that come from regional planning efforts. Ms. Prager suggested the State Planning Council initiate solicitation for the formation of such regional planning associations.

Mr. Flynn agreed that having additional regional councils is a great idea. However, funding may be needed to encourage participation or penalties established for lack of participation.

Mr. Murray said that there was a lot of good information in the report. Mr. Murray asked about the timing for actions and recommendations. Mr. Murray then asked if the next step would be for legislative changes to the Act. Mr. Flynn said if the report is approved, we would draft a package for legislative approval.

Ms. Boyle said that she was concerned about the Committee making legal interpretations of a pending case on pages 41 & 42 of the report. Ms. Boyle asked if this could be stricken.

Mr. Flynn explained that the information was intended for informational and reference purposes. Mr. Nelson said that the intent of including this information was to highlight a preexisting issue and that staff tried to merely present an issue that would eventually need to be addressed while avoiding legal interpretations.

Ms. Boyle agreed including statements of facts to highlight a preexisting issue would be appropriate; however, she maintained the opinion that the language included in the Report constitutes a legal interpretation.

Mr. Murray agreed with Ms. Boyle's concerns, and he pointed out that the item is for future consideration. Mr. Rhodes asked if there were any suggestion for modifying this section of the Report.

Ms. Boyle suggested excluding the last two paragraphs on page 42.

Mr. Trevor motioned to exclude the last two paragraphs on page 42 and approve. Mr. Murray seconded the motion. The motion was unanimously approved.

5. Proposed 2010 Meeting Schedule

Mr. Rhodes presented the proposed 2010 meeting schedule for informational purposes and asked the Committee to review it prior to next meeting as it will be on the agenda for action. Mr. Flynn added that all the meetings are on the second Thursday of the month with the exception of the October meeting. To accommodate holidays, October's meeting will be held the first Thursday of the month.

6. Chief's Progress Report

Mr. Rhodes began by mentioning that the deadline for 2009 Challenge Grant submittals was October 2, 2009 and that whereas \$1M in funds were being made available; 29 applications requesting \$1.7M in funding were received. Of these 23 were from municipalities, two were from regional planning entities (Aquidneck Island Planning Commission and the Washington County Planning Council), two from state agencies (RIPTA & DEM), one from URI and one from the Warwick Visitor's Bureau. He further noted

that Karen Scott would be administering the program this year, that the preliminary plan was to have the applications submitted to the Review Panel by early October and the award announcements in early November. Ms. Boyle asked if partial awards would be considered. Mr. Rhodes responded that they would.

Mr. Rhodes next noted that the majority of staff time over the past month had been spent preparing for the Federal Highway and Transit Administration's quadrennial recertification review. He explained that the Program is required to undertake the review every four years and that its purpose is to ensure that the Metropolitan Transportation Planning Process orchestrated by the Statewide Planning Program is conducted in accordance with SAFETEA-LU's requirements.

Mr. Rhodes explained that the process was especially challenging as the majority of the managerial staff that participated in the previous recertification were no longer with the Program. He noted that it was an extensive review that began with what the Administrations called advance materials. These materials contained 35 pages of various questions that required a sixty page written response. Topics covered ranged from our MPO boundaries to financial planning, and public participation. The second piece of the review was comprised of an all day staff presentation to the Federal representatives based on an agenda of predetermined topics that they had selected. And the third and final portion of the review consisted of a formal Public Hearing that was conducted by Federal Highway to solicit public input on the effectiveness of the State of Rhode Island's Metropolitan Transportation Planning Process. In concluding the Chief's report Mr. Rhodes summarized the thoughts expressed at the public hearing and noted that he felt as though the staff had left a good impression with the review panel.

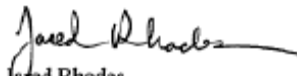
7. **Other Business**

None

8. **Adjourn**

The meeting was adjourned at 9:59 AM.

Respectfully submitted,


Jared Rhodes
Secretary